United Nations A/70/842–S/2016/370

General Assembly
Security Council

Distr.: General
22 April 2016

Original: English

General Assembly
Seventieth session
Agenda items 35, 40 and 72

Security Council
Seventy-first year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Promotion and protection of human rights

Letter dated 21 April 2016 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith a statement by the Ministry of Foreign Affairs of the Republic of Azerbaijan dated 21 April 2016 regarding Armenia's further violation of international humanitarian and human rights law against the civilian population and civilian facilities of the Republic of Azerbaijan. Updated information on the consequences of the attacks launched by the armed forces of Armenia since 2 April 2016 is also attached.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 35, 40 and 72, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

16-06682 (E) 280416

Please recycle

Annex to the letter dated 21 April 2016 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

The ongoing armed conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan has resulted in the occupation of almost one fifth of the territory of Azerbaijan and has made approximately one out of every nine persons in the country an internally displaced person or a refugee. The Republic of Armenia bears the responsibility for unleashing the war and using force against Azerbaijan, occupying its territories, carrying out ethnic cleansing on a massive scale and committing other serious crimes during the conflict.

The international community has consistently deplored, in the strongest terms, the use of military force against Azerbaijan and the resulting occupation of its territories. In 1993, the Security Council adopted resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), condemning the use of force against Azerbaijan and the occupation of its territories and reaffirming the sovereignty and territorial integrity of Azerbaijan and the inviolability of its internationally recognized borders. In those resolutions, the Security Council reaffirmed that the Nagorno-Karabakh region is part of Azerbaijan and called for immediate, complete and unconditional withdrawal of the occupying forces from all occupied territories of Azerbaijan. Other international organizations have adopted a similar position.

In total disregard of the position of the international community and in flagrant violation of international law, Armenia continues to undertake efforts aimed at further consolidating the current status quo of the occupation, strengthening its military build-up in the seized territories, changing their demographic, cultural and physical character and preventing the hundreds of thousands of Azerbaijani forcibly displaced persons from returning to their homes and properties in those areas.

Moreover, regular ceasefire violations, attacks on the towns and villages in Azerbaijan situated along the line of contact of the armed forces of Armenia and Azerbaijan and the border between the two States have become more frequent and violent in recent times, resulting in the killing and injuring of Azerbaijani civilians. The Republic of Azerbaijan has repeatedly brought its strong protests and serious concerns in that regard to the attention of the international community and has made it clear on numerous occasions that the unlawful presence of the armed forces of Armenia in the occupied territories of Azerbaijan is the main cause of tensions and incidents in the conflict zone and the major impediment to the political settlement of the conflict. The Republic of Azerbaijan has also repeatedly stated that the military occupation of its territories does not represent a solution and will never produce a political outcome desired by Armenia.

Beginning in the early morning of 2 April 2016, the armed forces of Armenia increased fighting from their positions in the occupied territories, subjecting the armed forces of Azerbaijan along the line of contact and the adjacent densely populated areas under the control of Azerbaijan to intensive fire with heavy artillery and large-calibre weapons. As a result of Armenia's attacks and subsequent hostilities, 34 towns and villages along the line of contact were shelled and a number of Azerbaijani civilians, including children, were killed or wounded. Substantial damages were inflicted upon private and public property: 353 civilian buildings, among them 314 residential houses, 3 schools, 3 kindergartens, 1 cultural centre and other civilian property were either destroyed or damaged. Furthermore,

357 electricity poles, 3 power substations, 30 transformers, as well as water reservoirs, gas pipelines, roads and other property, were damaged. An updated information on the consequences of attacks by the armed forces of Armenia as at 18 April 2016 is attached (see enclosure).

Armenia's offensive actions also caused casualties and injuries among the servicemen of the armed forces of Azerbaijan. On 10 April 2016, the International Committee of the Red Cross facilitated the handover, between the sides, of the bodies of those killed in action following the recent escalation. Subsequently performed forensic medical examination registered numerous signs of post-mortem mutilation of the bodies of Azerbaijani servicemen.

By its deliberate offensive actions, Armenia undermined the ceasefire regime established in 1994 and endangered the prospects of the political settlement of the conflict. In Moscow, on 5 April 2016, under the mediation efforts of the Russian Federation, the ceasefire was agreed between Armenia and Azerbaijan. Despite that, Armenia continues to violate that agreement by firing at the positions of the armed forces of Azerbaijan and the towns and villages situated along the line of contact with the use of large-calibre machine guns, mortars, grenade launchers and artillery systems.

Armenia's direct and deliberate attacks against the Azerbaijani civilian population and civilian property, as well as inhuman acts against Azerbaijani military forces, constitute a serious violation of international humanitarian and human rights law, in particular the 1949 Geneva Conventions and Additional Protocol I thereto, the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its protocols, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the Convention for the Protection of Human Rights and Fundamental Freedoms.

Along with the Republic of Armenia's responsibility as a State for internationally wrongful acts, violations by Armenia of international humanitarian and human rights law during the conflict amount to crimes under international criminal law. The overall assessment of the causes and consequences of the war unleashed by Armenia against Azerbaijan make it absolutely clear that the crimes committed by Armenia during the conflict were not isolated or sporadic acts, but were part of Armenia's widespread and systematic policy and practice of atrocities. The Republic of Azerbaijan is confident that the consistent measures being taken at the national level, as well as the existing international legal framework, will serve to bring to justice those responsible for the grave offences committed in the course of Armenia's aggression against Azerbaijan.

The Republic of Azerbaijan urges the international community to condemn Armenia for blatant violation of international law and to insist on the implementation of the aforementioned Security Council resolutions. The conflict can only be resolved on the basis of the sovereignty and territorial integrity of Azerbaijan within its internationally recognized borders. The Republic of Azerbaijan will spare no effort towards achieving the political settlement of the conflict and ensuring peace and justice in the region.

21 April 2016

Enclosure

Information on the consequences of the armed attacks by Armenia against the civilian population and the property of the Republic of Azerbaijan since 2 April 2016

(As at 18 April 2016)

			Including districts				
		Total	*Aghdam*	*Tartar*	*Goranboy*	*Fuzuli*	*Aghjabadi*
1.	Number of shelled settlements	34	16	9	5	1	3
2.	Number of fired projectiles	95	65	15	7	1	7
3.	Number of civilians killed	4	1	3			
4.	Number of civilians wounded and injured	26	10	8	6	1	1
5.	**Damaged buildings**	353	98	170	85		
	Residential houses	314	72	163	79		
	• Completely destroyed houses	14	5 (Evoglu, 2; Gervend, 1; Saridjali, 1; Uchoglan, 1)		9 (Tap Garagoyunlu)		
	• Severely damaged houses	25		25 (Tartar city, 3; Shikharkh district, 4; Gapanli, 12; Yukhari Garadagli, 3; Azad Garagoyunlu, 1; Duyarli, 1; Garaaqadji, 1)			
	• Damaged houses	275	67	138	70		
	Non-residential buildings	13 (3 schools; 3 kindergartens; 2 medical points; 1 cultural centre; 1 building of the public administration; 3 buildings belonging to business)	4 (1 school (Saridjali); 1 kindergarten (Saridjali); 1 building of the public administration (Afatli); 1 store (Saridjali))	5 (2 schools (Garaagadji, Gapanli); 2 medical points (Yukhari Gapanli, Gapanli); 1 kindergarten (Gazyan))	4 (1 cultural centre; 1 kindergarten (Tapgaragoyunlu); 2 buildings belonging to business (Zeyve, Tap Garagoyunlu))		
	Other types of buildings	26	22	2	2		
6.	Perished livestock	290	110	120	60		

		Total	Including districts				
			Aghdam	Tartar	Goranboy	Fuzuli	Aghjabadi
7.	Affected sown areas (in hectares)	208 ha of grain; 28 ha of beetroot		208 ha of grain (Garaagadji,100 ha; Yukhari Garadagli, 50 ha; Shikharkh, 30 ha; Husenli, 28 ha); 28 ha of beetroot (Husenli)			
8.	Damaged electricity infrastructure	3 power substations in 3 villages; 30 transformers in 9 villages; 357 electricity poles, 297 traverses, 1,084 isolators, 49 counters, 3 km of cables, 41.7 km of wires in 14 villages	1 power substation; 2 transformers; 60 electricity poles (Evoglu village)	2 power substations (Ismayilbeyli and Demirchiler); 8 transformers in 3 villages; 137 electricity poles (12 villages); 137 traverses, 288 isolators, 49 counters, 20.8 km wires, 3 km cables	20 transformers; 10 kWh electricity poles, 56; 0.4 kWh electricity poles, 104 (5 villages); 20.9 km wires, 796 isolators, 160 traverses (Tap Garagoyunlu)		
9.	Damaged water supply infrastructure	15 subartesian wells in 8 villages; water reservoirs and water lines in 3 villages		14 subartesian wells (in 7 villages); water reservoirs and water lines in Gapanli and Garadagli villages	1 subartesian well; water line of 1,650 m (Tap Garagoyunlu)		
10.	Damaged gas supply infrastructure	Pipelines in 5 villages; 15 counters in 1 village		Pipelines in Gapanli, Duyerli, Kocherli, Garadagli and Gaynag villages	15 counters (Tap Garagoyunlu)		
11.	Damaged communication infrastructure	9 560 m of cables, 320 m of wires, 17 communication poles in 7 villages		7,780 m of cables (Yukhari Garadagli, Garaagadji, Gazyan); 10 telephone poles	1,100 m of cables, 7 telephone poles (Tap Garagoyunlu); 320 m of wires (Zeyve); 680 m of cables (Gargudjag, Hadjalli)		
12.	Damaged road infrastructure	4 km of the Tap Garagoyunlu-Naftalan road fell into disrepair		3 km of road in Gapanli village has been damaged	4 km of the Tap Garagoyunlu- Naftalan road fell into disrepair		

A/70/842
S/2016/370